

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Concordia University Campus Boundary **FILE #** 13-234-831
 2. **APPLICANT:** Concordia University **HEARING DATE:** October 10, 2013
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 1280 Marshall Ave, SW corner at Syndicate
 5. **PIN & LEGAL DESCRIPTION:** 032823120027, John B Hoxsies Rearrange men Lot 1 Blk 4
 6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** RT1
 7. **ZONING CODE REFERENCE:** § 65.220(f); § 61.501
 8. **STAFF REPORT DATE:** September 30, 2013 **BY:** Josh Williams
 9. **DATE RECEIVED:** September 19, 2013 **60-DAY DEADLINE FOR ACTION:** November 18, 2013
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- A. **PURPOSE:** Conditional use permit to expand campus boundary
- B. **PARCEL SIZE:** 8466 sq. ft.
- C. **EXISTING LAND USE:** R-Multi-Family
- D. **SURROUNDING LAND USE:**
 - North: Concordia University campus / municipal park (RT1)
 - East: Single-family residential (RT1)
 - South: Single-family and multi-family residential (RT1)
 - West: Single-family and multi-family residential (RT1)
- E. **ZONING CODE CITATION:** §65.220(f) lists conditions for conditional use permits for college and university campus expansions in residential zones; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** The boundary for the Concordia University was first established by conditional use permit in 1986, and expanded in 2009. There is no zoning history for 1280 Marshall.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council had not made a recommendation as of the date of this report.
- H. **FINDINGS:**

1. The applicant, Concordia University, is seeking a conditional use permit to expand the school's campus boundaries to include the lot and building at 1280 Marshall. The applicant currently owns the multi-family residential building and operates it as a rental property. The applicant proposes to undertake interior renovations and remodeling to convert the structure to academic use. Minor exterior work to make the building ADA accessible and improve existing parking is also proposed.
2. §65.220(f) lists conditions for conditional use permits for college and university campus expansions in residential zones:

The boundaries of the institution shall be as defined in the permit, and may not be expanded without the prior approval of the planning commission, as evidenced by an amended conditional use permit. The campus that is defined by the boundaries shall be a minimum of three (3) acres, and all property within the campus boundaries must be contiguous.

The applicant shall submit an "anticipated growth and development statement" for approval of a new or expanded campus boundary, which statement shall include but not be limited to the following elements:

- (1) *Proposed new boundary or boundary expansion.* The applicant describes the proposed area of boundary expansion as [the parcel located at] 1280 Marshall Avenue. This parcel is contiguous to the existing campus boundary.
- (2) *Enrollment growth plans that include planned or anticipated maximum enrollment by major category (full-time, part-time, undergraduate, graduate) over the next ten (10) years and also the*

anticipated maximum enrollment over the next twenty (20) years. The applicant's statement indicates that the university is seeking to grow the body of "traditional undergraduate students"—those who are on campus on a daily basis—from "over 1,200" currently to around 1,500 within an approximately 5-year time frame. The university is also seeking to grow off-campus and on-line programs.

- (3) *Plans for parking facilities over the next ten (10) years, including potential locations and approximate time of development.* The applicant's statement indicates that they believe that current parking facilities have sufficient capacity to accommodate and additional demand generated by planned enrollment growth. The applicant has also identified an undeveloped lot, owned by the university but not within the current campus boundary, that could be utilized to provide additional parking.
- (4) *Plans for the provision of additional student housing, either on-campus or off-campus in college-controlled housing.* The applicant's statement indicates that the university currently has about 50 unoccupied dormitory beds. Based on past usage rates of university-controlled housing, the university believes they have sufficient housing to accommodate planned growth.
- (5) *Plans for use of land and buildings, new construction and changes affecting major open space.* The applicant's statement indicates that the university has no plans for significant new construction, or change in use of land and buildings, other than the change in use of the building at 1280 Marshall that the proposed campus expansion would facilitate. The university has indicated that an undeveloped property currently owned by the university and adjacent to but not within the campus boundary could be converted to use for parking if needed.
- (6) *An analysis of the effect this expansion (or new campus) will have on the economic, social and physical well-being of the surrounding neighborhood, and how the expansion (or new campus) will benefit the broader community.* The applicant's statement indicates that they feel the university is an asset to the community, and that there will not be negative effects for the neighborhood stemming from the proposed campus boundary expansion.

Approval of a new or expanded campus boundary shall be based on an evaluation using the general standards for conditional uses found in section 61.500, and the following criteria:

- (i) *Anticipated undergraduate student enrollment growth is supported by plans for student housing that can be expected to prevent excessive increase in student housing demand in residential neighborhoods adjacent to the campus.* This condition is met with regard to growth as a result of the proposed campus boundary expansion.
- (ii) *Potential parking sites identified in the plan are generally acceptable in terms of possible access points and anticipated traffic flows on adjacent streets.* This condition is met. No new parking facilities are proposed at this time.
- (iii) *Plans for building construction and maintenance of major open space areas indicate a sensitivity to adjacent development by maintaining or providing adequate and appropriately located open space.* This condition is met. The university has not identified any planned major construction. The university-owned undeveloped lot identified for potential future conversion to a parking facility is adjacent to campus and industrial uses and does not currently provide valuable or highly-used open space.
- (iv) *The proposed new or expanded boundary and the "anticipated growth and development statement" are not in conflict with the city's comprehensive plan.* This condition is met. The proposed boundary expansion is consistent with the Saint Paul Comprehensive Plan. The Future Land Use Map identifies the area of boundary expansion as Major Institutional and/or Mixed-Use Corridor, and a campus use is consistent with both designations.

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the*

Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The Future Land Use map of the Comprehensive Plan identifies the area of boundary expansion as Major Institutional and/or Mixed-Use Corridor, and the proposed campus use is consistent with either designation. Policy LU 1.57 encourages *communication between educational institutions and the residents of the community when those institutions seek to expand... their campuses.* The applicant has contacted the Union Park District Council regarding their proposed expansion.

- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Current ingress and egress capacity is sufficient, and the proposed boundary expansion will not significantly changes traffic patterns.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The proposed boundary expansion will allow conversion of an existing residential building to classroom and office uses. The proposed use will have similar impacts to the existing residential use; while more individuals may make use of the building on a daily basis, the use will be primarily during daytime hours. This is consistent with the existing character of the area, and will not endanger the public health, safety, or general welfare.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is consistent with the character of the two-family residential zoning designation (RT1) of the area, and will not impeded the improvement of surrounding properties for allowed uses in that district.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use conforms to all other applicable regulations of the district.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit to expand the Concordia University campus boundary to include 1280 Marshall Avenue.



CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only

File # _____

Fee: _____

Tentative Hearing Date: _____

APPLICANT

Name Eric LaMott (Concordia University - Saint Paul)
Address 275 Syndicate Street North
City Saint Paul St. MN Zip 55104 Daytime Phone (651) 641-8729
Name of Owner (if different) Concordia University - Saint Paul
Contact Person (if different) Nathan Miller (DLR Group) Phone (612) 977-3533

PROPERTY LOCATION

Address / Location 1280 Marshall Avenue; Saint Paul, MN 55104
Legal Description _____
Current Zoning RT1
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of
Chapter 65, Section 65.220, Paragraph F of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

Sec. 65.220(f) of the Saint Paul Zoning Code requires Planning Commission approval to expand the Concordia University - Saint Paul campus boundary. The boundary was originally established in 1986 and expanded in 2009 (ZF #09-021646.) We would like to request that the campus boundary be expanded to include 1280 Marshall Avenue. The lot is currently zoned RT1 which permits, as a conditional use, College/University functions per Table 66.221.

☐ Required site plan is attached

Applicant's Signature Eric LaMott Date 09/05/13 City Agent _____



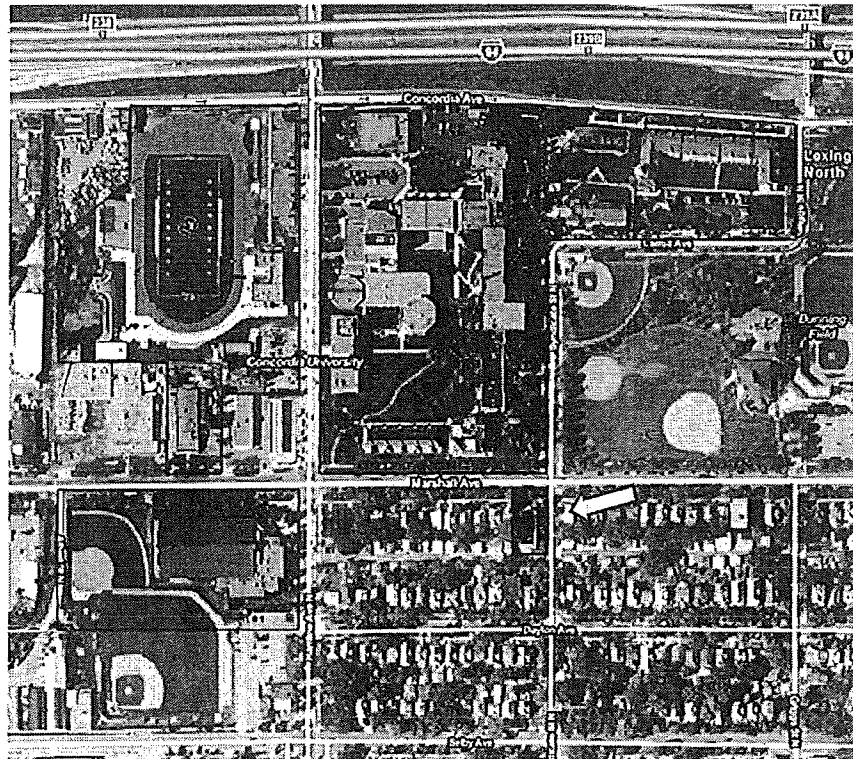
Concordia
UNIVERSITY SAINT PAUL

RE: Zoning for Concordia University, St. Paul

Dear City of Saint Paul Planning Commission:

Sec. 65.220(f) of the Saint Paul Zoning Code requires Planning Commission approval to expand the Concordia University - Saint Paul campus boundary. The boundary was established in 1986 and expanded in 2009 (ZF #09-021646). We would like to request that the campus boundary be expanded to include 1280 Marshall Avenue. The lot is currently zoned RT1 which permits College/University functions pending issuance of a Conditional Use Permit.

The expansion of the campus boundary to include this property will allow the university to repurpose and remodel this former university apartment building. The completed space would provide additional classroom and office space to accommodate a new Doctor of Physical Therapy (DPT) program. The renovations to the facility would be primarily interior. Exterior impacts will be limited to a new entrance to the north side of the building, deferred maintenance items, roof top mechanical equipment and surfacing the existing parking spaces adjacent to the alley.



The DPT program is a two year on-campus program with enrollment expected to be 30 students per year. It will serve only full-time students and the added enrollment is included in the Graduate enrollment projections from the Strategic Plan. This program will follow a traditional day schedule so it is anticipated that the hours of operation will be 8 am – 5 pm.

Given the constantly changing environment in higher education, the University limits detailed planning to five years. The plan goals beyond five years that are identified in this letter are intended to offer the city some insight into some topics that have been discussed but may not be fully vetted or committed to and are subject to change.

Enrollment: Within Concordia University's current Strategic Plan for 2014-2018, Goal #1 of the strategic plan addresses enrollment. We are working to grow the university enrollment to 5,000. A majority of this growth will be in our off campus undergraduate and graduate programs which are primarily taught online and at off campus locations; therefore, they do not have a significant impact on facilities or parking on campus. Traditional undergraduate students are those who will have the most significant impact on campus infrastructure. These are the students who come to the physical campus on a daily basis. Current traditional undergraduate enrollment exceeds 1,200 and the strategic plan has a goal of increasing and capping this enrollment category at 1,500 students.

Parking: During the past six years, Concordia has constructed additional parking areas to ensure that parking access is available to residential and commuting students. Specifically, the university has added parking in the SeaFoam Stadium parking expansion. Concordia is fortunate to have two parking lots that are marginally used, one south of Marshall Avenue on Hamline Avenue adjacent to the Gangelhoff Center and another on Marshall Avenue west of the Gangelhoff Center. We have also identified the 2.5 acre field space at 1407 Marshall Avenue as a potential location to provide future parking as the need arises.

Student Housing: Concordia University makes student housing available for its students but does not require that students reside on campus. Historically, less than half of the enrolled traditional undergraduate student population lives on campus during the school year. Currently the University has in excess of 50 beds which are not filled. We anticipate the currently available beds will be adequate to cover the anticipated enrollment growth so no immediate plans are in place to expand student housing.

Land/Building Development: The university's plan for land use is divided into two categories; renovation of existing facilities and expansion of facilities (either on currently owned property or future property acquisition.) The proposed project will be a renovation of an existing facility and not require property acquisition.

Two other projects that are under evaluation are the renovation of the Poehler Administration Building located at 275 Syndicate Street North, and the expansion or replacement of the Arndt Science Building located at 288 Hamline Avenue North. At this time, these projects are undefined and not likely to be initiated within the current five year strategic plan horizon.

Finally, the university does have a goal to acquire certain commercial and light industrial property located west of the campus if these properties were to become available. It is intentional on the part of the University that any additions to the campus would be in non-residential areas. To this end we have identified four commercial properties to the west of the campus, which interest us as potential acquisitions. We are not under the impression that any of them would become available to us in the near future. If, however, we were able to attach all four properties, they would be contiguous to the campus. The university does not have intent to grow to the south into the resident community. The projected acquisitions are, of course, subject to change if the proposed Ayd Mill Road extension is implemented.

Analysis: Concordia University makes every effort to be a friendly neighbor and an asset to the community. The Union Park District Council regularly utilizes our facilities for their meetings and we will be working with them to ensure that this campus expansion has no negative impacts on the community.

As referenced in the paragraphs above, it is believed that the current campus facilities, including buildings, parking, and student housing, will be adequate to support enrollment growth for the next five years. Beyond that we do have plans for property acquisitions and building projects as defined above. We anticipate the scope of these facilities to change as their reality approaches, but what is important is we are prepared to work with the city to ensure we continue to serve a benefit to the community.

It is also our belief that this expansion fits within the context of the City's Comprehensive Plan. This site is slated for Major Institutional use or Mixed-Use Corridor and the proposed use is appropriate to either.

In closing, we are seeking to renovate our existing facility and change its function from an apartment structure to a classroom/office space at 1280 Marshall Avenue. The University looks forward to continuing its long tenure in the City of St. Paul, where we are in our 120th year.

If you have any questions, please contact me at your convenience,

Sincerely,

A handwritten signature in black ink, appearing to read "Eric E. LaMott". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

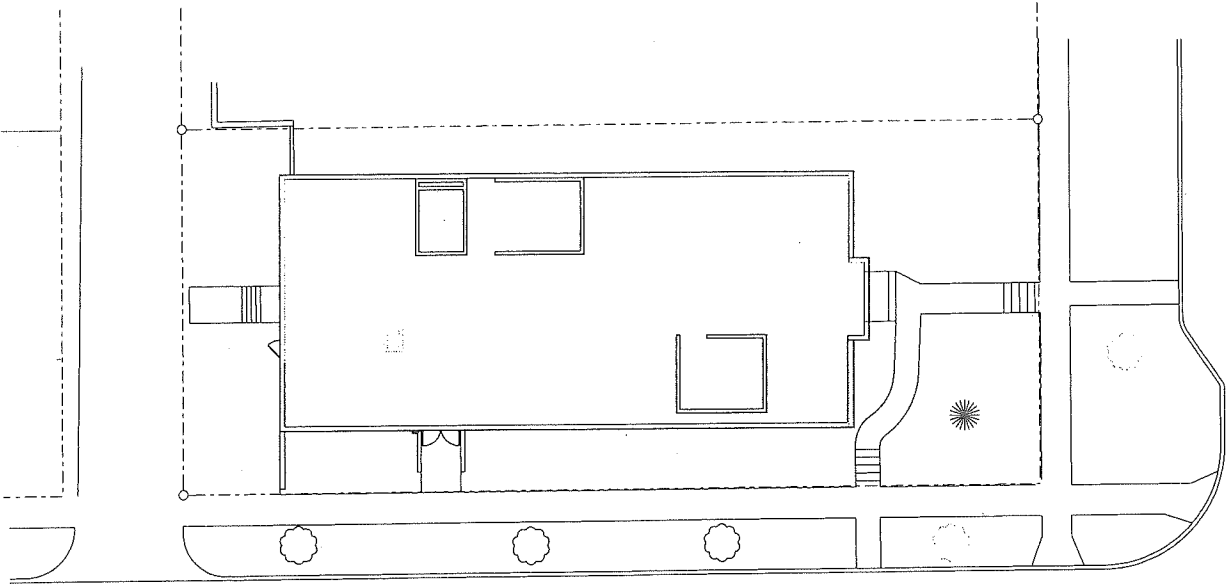
Eric E. LaMott, Ph.D.
Sr. VP and Chief Operating Officer
Concordia University, St. Paul
lamott@csp.edu
651-641-8729 (office)



DLR Group

Concordia University – Saint Paul
Physical Therapy Renovation to Moenkemoeller Hall

SITE / ROOF PLAN



LEGEND NOTES

Current enrollment/parking status

SCHOOL: Concordia University St Paul Date: 9/18/13

Name of President or Director: President Ries

Person Completing Form: Mike Mulso Phone: 651-441-8797

-----Fall 2013-----

(Include data for Saint Paul campus location only.)

	Total	Daytime*	Evening or Weekend*
1. Number of employees (both full-time and part-time).	<u>603</u>	<u>511</u>	<u>82</u>
2. Number of full-time students.	<u>1283</u>	<u>1018</u>	<u>265</u>
3. Number of part-time students (def.: taking less than 75% of a normal credit load).	<u>100</u>	<u>80</u>	<u>50</u>
4. Dormitory Beds			
a. Total	<u>534</u>		
b. Occupied	<u>482</u>		
c. Full-time students living on-campus	<u>481</u>		
d. Employees living on-campus in dormitory beds listed under a.	<u>01</u>		
5. Number of off-street parking spaces.	<u>609</u>		

Please attach a map showing the number and location of parking spaces on the Campus. This can be an informal hand drawn map. The spaces indicated on the map should equal the total on line 5.

1280 Marshall has capacity for 4 spaces not included in these numbers.

Please return this form by to:

Joshua Williams
Department of Planning and Economic Development
1300 City Hall Annex
25 West Fourth Street
Saint Paul, Minnesota 55102
Phone: (651) 266-6659
Fax: (651) 228-3314

* Estimates are O.K. for breakdown of total into daytime and evening/weekend.

CARROLL

SYNDICATE

MARSHALL

DAYTON

SYNDICATE

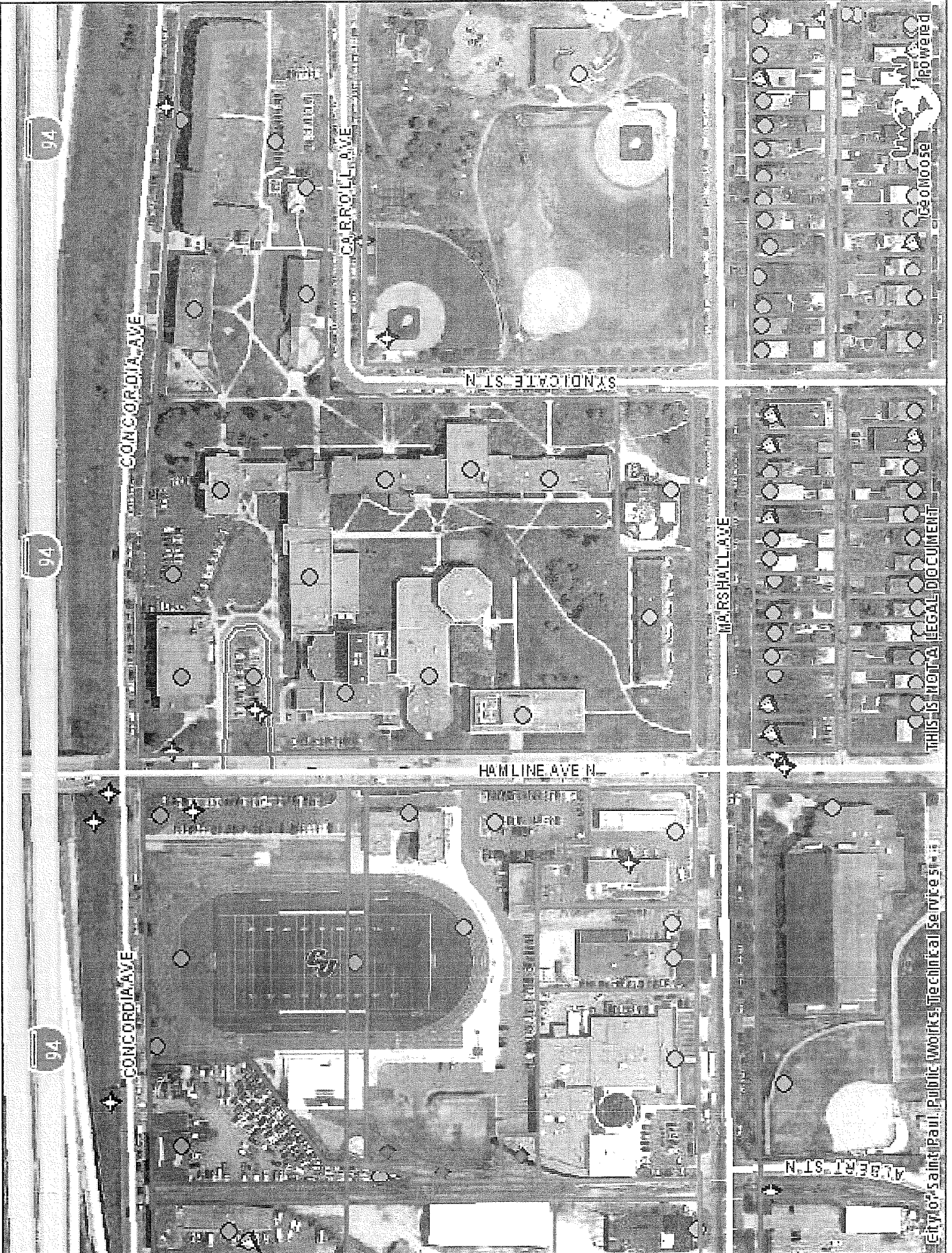
HAWLINE

SC



(027)





94

94

94

CONCORDIA AVE

CARROLL AVE

SYNDICATE ST N

HAMLIN AVE N

MARSHALL AVE

ALBERT ST N

City of Saint Paul, Public Works, Technical Services

THIS IS NOT A LEGAL DOCUMENT

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GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

☒ Show Dashboard ☐ Show Reference Map





CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: October 11, 2013
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of October 10, 2013 Zoning Committee Hearing

OLD BUSINESS

- | | | <u>Staff</u> | <u>Recommendation</u>
<u>Committee</u> |
|----|--|--------------------------|---|
| 1. | Hassibullah Farooq (13-228-100)
Reestablishment of nonconforming use as a reception hall | Approval with conditions | Approval with conditions
(4 - 0) |
| | Address: 560 Como Ave
between Dale and Burgess | | |
| | District Comment: District 6 recommended approval | | |
| | Support: 0 people spoke, 1 letter | | |
| | Opposition: 0 people spoke, 1 letter | | |
| | Hearing: Hearing is closed | | |
| | Motion: Approval with conditions | | |
| | | <u>Staff</u> | <u>Recommendation</u>
<u>Committee</u> |
| 2. | Unidale Mall farmers market (13-227-795)
Conditional use permit for outdoor farmers market | Approval with conditions | Approval with conditions
(4 - 0) |
| | Address: 544 University Ave W
SE corner at Kent | | |
| | District Comment: District 8 made no recommendation | | |
| | Support: 0 people spoke, 0 letters | | |
| | Opposition: 2 people spoke, 1 letter | | |
| | Hearing: Hearing is closed | | |
| | Motion: Approval with conditions | | |

NEW BUSINESS**3.****Concordia University Campus Boundary (13-234-831)**
Conditional use permit to expand campus boundary

	<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
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Approval

Approval
(4 - 0)

Address: 1280 Marshall Ave
SW corner at Syndicate

District Comment: District 13 recommended approval

Support: 1 person spoke, 3 letters

Opposition: 0 people spoke, 1 letter

Hearing: Hearing is closed

Motion: Approval

city of saint paul
planning commission resolution
file number
date

WHEREAS, Mr. Hassibullah Farooq, File # 13-228-100, has applied for a reestablishment of nonconforming use as a reception hall and dance hall under the provisions of §62.109(e) of the Saint Paul Legislative Code, on property located at 560 Como Ave, Parcel Identification Number (PIN) 252923320045-47, legally described as Denslows Addition To Thecity Ex Ave Lots 14 through 16 Blk 3; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 10, 2013, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is proposing a deli, reception hall and dance hall at 560 Como Avenue. The reception hall and dance hall, a conforming use when the property was B3, would be nonconforming at this location under the current T2 zoning. T2 does not permit reception halls at all. A dance hall falls under the zoning code definition of "indoor recreation," a conditional use in the T2 zoning district subject to the condition that the building in which the use is located must be at least 100 feet from the closest point of any residential lot in a residential district, which the building at 560 Como does not meet. In order to reestablish a reception hall/dance hall in the building, a reestablishment of a nonconforming use permit is necessary because the use has been discontinued for more than a year.
2. The applicant is requesting that the reception hall and dance hall be allowed to stay open until 2 a.m. on Thursday through Saturday nights. Legislative Code chapter 405.04(d) states that no public dance shall beheld between the hours of 12 a.m. (midnight) and 6 a.m. on any day, and not on Sunday before noon.
3. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of one year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. The structure appears to have been built as a restaurant with reception hall/dance hall space that would be difficult to economically reuse for a conforming purpose.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the*

moved by _____

seconded by _____

in favor _____

against _____

previous nonconforming use. This finding is met. The previous non-conforming use was a reception hall and dance hall.

- (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* The proposed reception/dance hall generally fits the existing character and mixed-use pattern of development in the immediate neighborhood, and this finding can be met subject to installation of a solid six-foot high screening fence along the entire length of the alley adjoining the property to mitigate noise and provide better separation between the proposed use and the adjacent residential lots across the alley, and subject to a 12 p.m. midnight closing time to protect the welfare of nearby residents..
- (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. This property is located within a designated Mixed-Use Corridor in the Comprehensive Plan. The goal of Land Use Policy 1.24 is to support a mix of uses on Mixed-Use Corridors. The deli, reception and dance hall will enhance the mix of uses in this mixed-use corridor.
- (5) *A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on August 30, 2013; thirteen (13) parcels eligible; nine (9) parcels required; eleven (11) parcels signed.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Mr. Hassibullah Farooq for a reestablishment of nonconforming use as a reception hall and dance hall at 560 Como Ave is hereby approved subject to the following conditions:

1. A solid six-foot high screening fence that completely closes off and separates the parking lot and building from the alley shall be constructed and maintained along the entire length of the alley adjoining the property.
2. The reception and dance hall shall not operate between the hours of 12 p.m. (midnight) and 6 a.m.

city of saint paul
planning commission resolution
file number
date

WHEREAS, Double Dragon Inc., File # 13-227-795, has applied for a conditional use permit for an outdoor farmers market under the provisions of §61.501 of the Saint Paul Legislative Code, on property located at 544 University Ave W, Parcel Identification Number (PIN) 362923320005, legally described as Central Village Addition Subj To Sts, Esmts, Alleys, Vac & Accruing & Fol; Lots 9 Thru 15 & Part Of Lots 17 Thru 20 Blk 3 Mac & Marsh Add, All Of Becks Add & In Sd Cent Vil Add All Of Out- Lots A B C F G & That Part Of Outlots D & E & Lot 6 Lying N & W Of; and

WHEREAS, the Zoning Committee of the Planning Commission, on September 26, 2013, and October 10, 2013, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant, Double Dragon Building, Inc. represented by Gregory Heck, is seeking a conditional use permit to expand the existing outdoor seasonal farmers market that uses the northeast corner of the Uni-Dale Mall parking lot at 544 W University Avenue. Mr. Heck has indicated that he is the manager of the market. Mr. Heck has indicated they would like to change the days, dates and hours of the market to Friday, Saturday, Sunday, and holidays from June 15 to October 31, between the hours of 6:00 AM to 6:00 PM. He has indicated they would like to expand the area of the market to accommodate their current number of vendors. The market currently has a total of 65 vendors, with 55 vendors typically on site at one time. To accommodate this number of vendors, they propose that the market would use the northern three rows of parking between the two easternmost driveways off of University Avenue, which includes about 82 parking stalls. The market vendors will sell their own produce, and no preparation of food for sale is anticipated.
2. Zoning Code § 61.501 lists five standards that all conditional uses must satisfy:
 - (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. Outdoor farmers markets are consistent with Land Use Plan policies to support a mix of land uses (LU 1.24) and vibrant business districts. The Summit-University Plan (2009) includes strategy

moved by _____
seconded by _____
in favor _____
against _____

ED-22 to “foster minority business start-ups, retentions and expansions from within the community to ensure that small businesses are maintained in the neighborhood during and after construction of the Central Corridor light rail project”.

- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Vehicular access to and from the site is through three entrances/exits on University Avenue and an entrance/exit on Aurora. There is also a shared access drive between the Uni-Dale Mall lot and Midas Muffler lot to the east. With the market operating in the area indicated on the site plan, vehicles will be able to access the rest of the parking lot.
 - (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met provided that there are adequate trash collection facilities and the vendors clean up any trash in the market area after the hours of operation each day. The use is consistent with the mixed-use character of development in this area. The use will not be detrimental to the existing character nor endanger the public health, safety and welfare, as it will provide access to fresh and healthy food for residents. The market will be taken down each day, with tables and tents removed.
 - (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The farmers market will be located on University Avenue, a commercial corridor where the proposed hours and days of operation will be consistent with the adjacent commercial uses.
 - (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use will not conflict with off-street parking, off-street loading, and the system of pedestrian flow. Prior to 2010 the Uni-Dale Mall building required 136 off-street parking spaces. In 2010 the zoning code was amended to say that the minimum number of off-street parking spaces required “shall be reduced by 100 percent in traditional neighborhood districts when more than 50 percent of both the building and the parcel are within ¼ mile of University Avenue,” so there is currently no parking required for Uni-Dale Mall. The property currently has 433 off-street spaces. Up to 82 off-street spaces will be used for the farmers market sales space, leaving 351 parking spaces available for patrons of Uni-Dale Mall retail uses and the farmers market. The loading dock for Sun Foods grocery is located at the east end of the building, at the south end of the parking lot; this use allows for continued access to the loading dock. The system of pedestrian flow will not be disturbed as the access to the market from the sidewalks on University Avenue will remain. The use can conform to all remaining applicable regulations in the zoning code.
3. The Planning Commission recently recommended zoning text amendments with specific provisions for farmers markets, including allowing farmers markets with more than 5 vendors in the T3 district subject to a conditional use permit. Another recommended standard is approval of a site plan showing the number and location of vendors at the site, with contact information for a designated market director responsible for coordinating the market vendors and activities, and for providing the zoning administrator with updated contact information if it changes. This will help ensure that the farmers market remains in compliance with all applicable regulations and with the conditions of a conditional use permit.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Double Dragon Inc. for a conditional use permit for an outdoor farmers market at 544 University Avenue W is hereby approved subject to the following conditions:

1. Zoning Administrator approval of a detailed site plan to be submitted for approval no later than April 18, 2014, in substantial compliance with the plan submitted and approved as part of this application, showing the number and location of vendors, how safe ingress/egress and safe pedestrian circulation will be provided, and use of the northern three rows of parking between the two easternmost driveways off of University Avenue, which includes about 82 parking stalls in the Uni-Dale Mall parking lot, for farmers market sales space, with contact information for a designated market director responsible for coordinating the market vendors and activities, and for providing the zoning administrator with updated contact information if it changes;
2. The farmers market shall be open only during the period from May 15 - October 31, with hours limited to the period from 6:00 AM to 6:00 PM on Fridays, Saturdays, Sundays, and holidays, with set-up beginning no earlier than 5:30 a.m. and tear-down completed with vendors off-site by 7:00 PM;
3. The farmers market shall have no more than 65 vendors at any time;
4. There shall be adequate trash collection facilities provided and no trash left in the market area; the holder of the CUP shall require the vendors to clean the market area of trash daily; and
5. Management of the market shall monitor vendors to ensure that they sell only the products of their farm, garden, greenhouse, apiary, or forest directly to the public.

city of saint paul
planning commission resolution
file number
date

WHEREAS, Concordia University, File # 13-234-831, has applied for a conditional use permit to expand the campus boundary under the provisions of §61.500 of the Saint Paul Legislative Code, on property located at 1280 Marshall Ave, Parcel Identification Number (PIN) 032823120027, legally described as John B Hoxsies Rearrange men Lot 1 Blk 4; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 10, 2013, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant, Concordia University, is seeking a conditional use permit to expand the school's campus boundaries to include the lot and building at 1280 Marshall. The applicant currently owns the multi-family residential building and operates it as a rental property. The applicant proposes to undertake interior renovations and remodeling to convert the structure to academic use. Minor exterior work to make the building ADA accessible and improve existing parking is also proposed.
2. §65.220(f) lists conditions for conditional use permits for college and university campus expansions in residential zones:

The boundaries of the institution shall be as defined in the permit, and may not be expanded without the prior approval of the planning commission, as evidenced by an amended conditional use permit. The campus that is defined by the boundaries shall be a minimum of three (3) acres, and all property within the campus boundaries must be contiguous.

The applicant shall submit an "anticipated growth and development statement" for approval of a new or expanded campus boundary, which statement shall include but not be limited to the following elements:

- (1) *Proposed new boundary or boundary expansion.* The applicant describes the proposed area of boundary expansion as [the parcel located at] 1280 Marshall Avenue. This parcel is contiguous to the existing campus boundary.
- (2) *Enrollment growth plans that include planned or anticipated maximum enrollment by major category (full-time, part-time, undergraduate, graduate) over the next ten (10) years and also the anticipated maximum enrollment over the next twenty (20) years.* The applicant's statement indicates that the university is seeking to grow the body of "traditional undergraduate students"—those who are on campus on a daily basis—from "over 1,200" currently to around 1,500 within an approximately 5-year time frame. The university is also seeking to grow off-campus and on-line programs.
- (3) *Plans for parking facilities over the next ten (10) years, including potential locations and approximate time of development.* The applicant's statement indicates that they believe that current parking facilities have sufficient capacity to accommodate and additional demand generated by planned

moved by _____
seconded by _____
in favor _____
against _____

enrollment growth. The applicant has also identified an undeveloped lot, owned by the university but not within the current campus boundary, that could be utilized to provide additional parking.

- (4) *Plans for the provision of additional student housing, either on-campus or off-campus in college-controlled housing.* The applicant's statement indicates that the university currently has about 50 unoccupied dormitory beds. Based on past usage rates of university-controlled housing, the university believes they have sufficient housing to accommodate planned growth.
- (5) *Plans for use of land and buildings, new construction and changes affecting major open space.* The applicant's statement indicates that the university has no plans for significant new construction, or change in use of land and buildings, other than the change in use of the building at 1280 Marshall that the proposed campus expansion would facilitate. The university has indicated that an undeveloped property currently owned by the university and adjacent to but not within the campus boundary could be converted to use for parking if needed.
- (6) *An analysis of the effect this expansion (or new campus) will have on the economic, social and physical well-being of the surrounding neighborhood, and how the expansion (or new campus) will benefit the broader community.* The applicant's statement indicates that they feel the university is an asset to the community, and that there will not be negative effects for the neighborhood stemming from the proposed campus boundary expansion.

Approval of a new or expanded campus boundary shall be based on an evaluation using the general standards for conditional uses found in section 61.500, and the following criteria:

- (i) *Anticipated undergraduate student enrollment growth is supported by plans for student housing that can be expected to prevent excessive increase in student housing demand in residential neighborhoods adjacent to the campus.* This condition is met with regard to growth as a result of the proposed campus boundary expansion.
- (ii) *Potential parking sites identified in the plan are generally acceptable in terms of possible access points and anticipated traffic flows on adjacent streets.* This condition is met. No new parking facilities are proposed at this time.
- (iii) *Plans for building construction and maintenance of major open space areas indicate a sensitivity to adjacent development by maintaining or providing adequate and appropriately located open space.* This condition is met. The university has not identified any planned major construction. The university-owned undeveloped lot identified for potential future conversion to a parking facility is adjacent to campus and industrial uses and does not currently provide valuable or highly-used open space.
- (iv) *The proposed new or expanded boundary and the "anticipated growth and development statement" are not in conflict with the city's comprehensive plan.* This condition is met. The proposed boundary expansion is consistent with the Saint Paul Comprehensive Plan. The Future Land Use Map identifies the area of boundary expansion as Major Institutional and/or Mixed-Use Corridor, and a campus use is consistent with both designations.

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The Future Land Use map of the Comprehensive Plan identifies the area of boundary expansion as Major Institutional and/or Mixed-Use Corridor, and the proposed campus use is consistent with either designation. Policy LU 1.57 encourages communication between educational institutions and the residents of the community when those institutions seek to expand... their campuses. The applicant has contacted the Union Park District Council regarding their proposed expansion.
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Current ingress and egress capacity is sufficient, and the

proposed boundary expansion will not significantly changes traffic patterns.

- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The proposed boundary expansion will allow conversion of an existing residential building to classroom and office uses. The proposed use will have similar impacts to the existing residential use; while more individuals may make use of the building on a daily basis, the use will be primarily during daytime hours. This is consistent with the existing character of the area, and will not endanger the public health, safety, or general welfare.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is consistent with the character of the two-family residential zoning designation (RT1) of the area, and will not impeded the improvement of surrounding properties for allowed uses in that district.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use conforms to all other applicable regulations of the district.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Concordia University for a conditional use permit to expand the Concordia University campus boundary to include 1280 Marshall Ave is hereby approved.



UNION PARK DISTRICT COUNCIL

1570 Concordia Avenue, Suite LL100, Saint Paul, MN 55104

p 651-645-6887 | f 651-917-9991 | e info@unionparkdc.org | w www.unionparkdc.org

October 9, 2013

Josh Williams, Planner
Planning and Economic Development
25 W. Fourth Street
Saint Paul, MN 55102

Dear Josh Williams,

This letter is to inform you that on October 8, 2013 the Union Park District Council (UPDC) Land Use Committee voted unanimously to support Concordia University's plan to rehabilitate the Moenkemoelloer building at 1280 Marshall Ave to a Doctor of Physical Therapy program.

UPDC request support, for necessary zoning changes, in order for Concordia University to move forward with their proposed plan at 1280 Marshall Ave.

Sincerely,

Bernadette Chlebeck
UPDC Executive Director

Cc: Eric E. LaMott, Ph.D. | Senior Vice President and Chief Operating Officer
Chair of Kinesiology & Health Sciences | Professor of Kinesiology
1282 Concordia Ave. | St. Paul, MN 55104

September 24, 2013

Peter J. Rundquist, PT, PhD
Concordia University
1371 Marshall Ave, Room 118
St. Paul, MN 55104

Peter,

With this letter Rhoda and I express our support for the plans of Concordia University to rehabilitate the apartment building at 1280 Marshall Ave (the Moenkemoeller building).

As owners and occupiers of the property adjacent to the west (1288 Marshall Ave.), we have watched with concern the decline of the building and the fact that it has been unoccupied for a couple of years.

We believe that the proposed usage will not only enhance the property, but also be of benefit to us as neighbors ... bringing activity to an empty property and bringing improvements that will enhance the neighborhood.

In particular, we are pleased with the change in usage of the building. Over the years there were occasional noise issues with apartment dwellers. The new usage eliminates that possibility.

Again, we support the proposal and are hopeful for the approval of the project by permitting agencies of the City of St. Paul.

Cordially,

A handwritten signature in black ink, appearing to be 'MRS' or similar, written in a cursive style.

Mark and Rhoda Schuler
128 Marshall Ave
St. Paul, MN 55104

Dr. David L. and Mrs. Katherine B. Mennicke
1292 Marshall Avenue
St. Paul, MN 55104
home: (651) 636-3271
e-mail: kmennicke@gmail.com

September 27, 2013

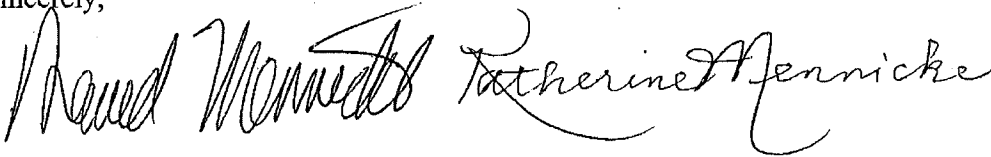
To Whom It May Concern:

We are St. Paul residents living across the street from Concordia University, St. Paul. The University has notified us of its desire to convert their Moenkemoeller apartment building at 1280 Marshall Avenue into a site for their proposed Doctor of Physical Therapy program. This would involve remodeling the apartments into classrooms and office space. They would also be bringing the building up to code in heating, air conditioning, and water. They will add an elevator to make the building handicapped accessible.

The City of St. Paul will need to make a zoning change for this property in order for Concordia to make these changes. As neighbors two doors down from this building, we heartily encourage these modifications. We see them as improvements to the neighborhood that will add to the quality of life in the area and possibly increase property values. In fact, we would prefer to have a classroom building instead of a student apartment as our close neighbor. As such we endorse this move by Concordia and ask that the City of St. Paul accept Concordia's request for a rezoning of the area that would permit these improvements.

Please feel free to contact us if you have any questions. Thank you for your consideration.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature, on the left, is 'David Mennicke' and the second, on the right, is 'Katherine Mennicke'. Both are written in a cursive, flowing style.

David and Katherine Mennicke

From: Bonnie Vevang [<mailto:bonnievevang@hotmail.com>]
Sent: Wednesday, October 09, 2013 11:28 AM
To: Williams, Josh (CI-StPaul)
Subject: Concordia - 1280 Marshall Avenue

Thank you for the telephone message you left me yesterday. I am an owner of a residence on the 1200 block of Dayton Avenue, one block south of Marshall Avenue. (We share alleys with Marshall Avenue.)

The south side of Marshall Avenue from Hamline Avenue going east has been strickly residential for years. I have a problem of making an exception to the zoning just for Concordia University. I think 1280 Marshall should still stay residential and not used for Concordia's classes and offices.

If Concordia is allowed to change the use of this building, how soon will they want the whole block for their use. We should not set a presidence by allowing them to use 1280 for anything but residential.

If Concordia needs more classrooms, they should look to Marshall Avenue west of Hamline that is already all commercial. If nothing is available there, they should wait for something to become available and not intrude on the residents to their south. Also I think they could try to find space on their present campus north of Marshall Avenue. Have they really tried these other options???

Please present my viewpoint at future meetings on this subject. I will not be able to attend.

Bonita (Bonnie Vevang)
651 483-0225



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6700
Facsimile: 651-228-3220*

DATE: October 11, 2013
TO: Planning Commission
FROM: Neighborhood Planning Committee
RE: Alcohol Production Zoning Code Text Amendments

BACKGROUND

The Planning Commission held a public hearing regarding the Alcohol Production Zoning Study on October 4, 2013. One brewery owner testified that he would like to eventually exceed 5,000 barrels per year production capacity at his location in a Traditional Neighborhood zoning district, and that exceeding 20,000 barrels per year would require relocation or expansion into additional space. (The draft amendments would allow the 5,000 barrels capacity to be exceeded if a Conditional Use Permit is granted, up to a maximum of 20,000 barrels.) The public hearing was held open until 4:30 p.m. on October 7, 2013, during which time no further testimony was received.

NEIGHBORHOOD PLANNING COMMITTEE RECOMMENDATION

The NPC recommends that the Planning Commission approve the attached draft Planning Commission resolution regarding alcohol production text amendments to the Zoning Code.

Attachment

1. Draft Planning Commission Resolution

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, the Council of the City of Saint Paul has requested that the Planning Commission provide a report and recommendation regarding potential amendments to Zoning Code sections 65.910, 65.610, 65.774, 65.820, 65.821, and any other Zoning Code sections which the Commission believes may facilitate the Council's intentions; and

WHEREAS, the Saint Paul Planning Commission finds that the Zoning Code's present land use definitions and development standards regarding breweries were adopted at various times and for various purposes intended principally to regulate large commercial brewing operations; and

WHEREAS, the Saint Paul Planning Commission finds the zoning issues of distilleries and wineries to be connected to those of breweries in a manner that warrants their inclusion in this study, report and recommendation; and

WHEREAS, the Saint Paul Planning Commission recognizes an increasing trend towards small, local breweries and other producers of other alcoholic beverages; and

WHEREAS, the Saint Paul Planning Commission finds the proposed text amendments to be supported by the policies of the Comprehensive Plan;

WHEREAS, the Saint Paul Planning Commission held a public hearing on October 4, 2013 regarding the potential amendments;

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the following proposed amendments to the Legislative Code be recommended for approval by the Council of the City of Saint Paul:

ARTICLE II. - 63.200. PARKING REQUIREMENTS

Table 63.207 Minimum Required Off-Street Parking By Use

Land Use	Minimum Number of Parking Spaces
<i>Commercial Uses</i>	
Restaurant, Coffee shop, tea house, deli, taproom	1 space per 400 sq. ft. GFA

ARTICLE V. 65.400. COMMERCIAL USES

Division 10. 65.770. Limited Production, Processing and Storage

Sec. 65.7742. ~~Malt-liquor production.~~ Brewery, craft.

A facility with a capacity to manufacture twenty thousand (20,000) or fewer barrels of alcoholic and nonalcoholic malt liquor a year. This definition excludes small breweries operated in conjunction with a bar or restaurant defined herein as an accessory use.

Standards and conditions in traditional neighborhood and business districts.

(a) In traditional neighborhood and B2 business districts, a conditional use permit is required for such uses with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.

(b) Fewer than five thousand (5,000) barrels of malt liquor shall be produced in a year. In all traditional neighborhood and business districts, a conditional use permit is required for facilities with the capacity to manufacture more than five thousand (5,000) barrels of malt liquor a year in order to ensure operational and design compatibility with the particular location.

Sec. 65.773. Distillery, craft.

A facility that manufactures distilled spirits, as defined by Minn. Stat. § 340A.301, with a capacity to manufacture forty thousand (40,000) or fewer proof gallons a year.

Standards and conditions in traditional neighborhood and business districts.

(a) In traditional neighborhood and B2 business districts, a conditional use permit is required for such uses with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.

Sec. 65.77~~24~~. Finishing shop.

Sec. 65.77~~35~~. Limited production and processing.

Sec. 65.77~~56~~. Plastic products.

Sec. 65.77~~67~~. Printing and publishing.

Sec. 65.77~~78~~. Recycling collection center.

Sec. 65.77~~89~~. Recycling drop-off station.

Sec. 65.77~~980~~. Warehousing and storage.

Sec. 65.781. Winery, craft.

A facility that manufactures wine, as defined by Minn. Stat. § 340A.301, with a capacity of six hundred twenty thousand (620,000) or fewer gallons a year.

Standards and conditions in traditional neighborhood and business districts.

(a) In traditional neighborhood and B2 business districts, a conditional use permit is required for such uses with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.

(b) In all traditional neighborhood and business districts, a conditional use permit is required for facilities with the capacity to manufacture more than one hundred fifty-five thousand (155,000) gallons a year in order to ensure operational and design compatibility with the particular location.

Sec. 65.78~~92~~. Wholesale establishment.

ARTICLE III. 66.300. TRADITIONAL NEIGHBORHOOD DISTRICTS

Table 66.321. Principal Uses in Traditional Neighborhood Districts

Use	T1	T2	T3	T4	Development Standards
Commercial Uses					
<i>Limited Production and Processing</i>					
Malt liquor production <u>Brewery, craft</u>		P/C	P/C	P/C	✓
<u>Distillery, craft</u>		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓
<u>Winery, craft</u>		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓

ARTICLE IV. 66.400. BUSINESS DISTRICTS

Table 66.421. Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Development Standards
Commercial Uses								
<i>Limited Production, Processing and Storage</i>								
Malt liquor production <u>Brewery, craft</u>				P/C	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓
<u>Distillery, craft</u>				<u>P/C</u>	<u>P</u>	<u>P</u>	<u>P</u>	✓
<u>Winery, craft</u>				<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓

ARTICLE V. 66.500. INDUSTRIAL DISTRICTS

Table 66.521. Principal Uses in Industrial Districts

Use	IR	I1	I2	I3	Development Standards
Commercial Uses					
<i>Limited Production and Processing</i>					
Malt liquor production <u>Brewery, craft</u>	P	P	P		
<u>Distillery, craft</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Winery, craft</u>	<u>P</u>	<u>P</u>	<u>P</u>		

moved by _____
seconded by _____
in favor _____
against _____